

Report to the Auburn City Council

Action Item

Agenda Item No.

City Manager Approval

To:

Mayor and City Council Members

From:

John Ruffcorn, Chief of Police

Date:

August 26, 2013

Subject:

Auburn Homeless Community and Panhandling

The Issue

Should the Auburn City Council Auburn authorize the expenditure of less than \$2500.00 to create educational material to inform our citizens and our homeless community about the services available and the issues associated with panhandling?

Conclusion and Recommendation

Staff recommends by Motion, that the City Council authorize the expenditure of less than \$2500 to create educational material. It is also recommended that the City enhance its relationships with our local homeless service providers and adjoining government entities to work towards solving homeless issues.

History / Background

For decades, communities all over the United States have struggled with homelessness. Yet, there thousands of people's opinions, and each feel confident that they know what it takes to end homelessness. However, if any of them had the answer, we would not be talking about it today. Homelessness is viewed as a law enforcement problem, as well as a societal problem.

When this report was being constructed, I looked at several factors regarding homelessness. They included:

Why are people homeless in Auburn?

How can the Auburn Police Department lower arrests of homeless individuals?

What can be done to change how the police deal with the homeless?

How can we get social services for homeless individuals?

With what actions can the Police Department satisfy the needs and concerns of all the groups involved?

So to define homelessness, the Stewart B. McKinney Act, 42 U.S.C. § 11301, et seq. (1994), a person is considered homeless who "lacks a fixed, regular, and adequate night-time residence; and. has a primary night time residency that is: (A) a supervised publicly or privately operated shelter designed to provide temporary living accommodations... (B) An institution that provides a temporary residence for individuals intended to be institutionalized, or (C) a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings." And to be clear, the term "homeless individual" does not include any individual imprisoned or otherwise detained pursuant to an Act of Congress or a state law." 42 U.S.C. § 11302(c)

The U.S. Department of Housing and Urban Development's most recent report on homelessness indicates that the problem generally remained stable during 2011. The agency's "point-in-time" estimate of persons homeless on a single night, released on December 10, shows an overall drop from 636,000 to 633,782 in a January 2011 to January 2012 comparison, a 0.4 percent change. Families experiencing homelessness increased 1.4 percent, HUD reports, and homelessness among individuals decreased by the same margin. Notable signs of progress are seen in the area of homelessness among veterans, which fell by 7.2 percent, and among persons homeless for more than a year, which fell by 6.8 percent. HUD reports that homelessness overall has dropped 5.7 percent since January 2007 and that long-term or chronic homelessness has dropped 19.3 percent in the same period. Homelessness among veterans has dropped 17.2 percent since January 2009. A statistic we should all be very proud of.

¹U.S. Conference of Mayors. <u>A Status Report on Hunger and Homelessness in America's Cities: 2012.</u> Available at www.usmayors.org.

Characteristics of Homeless Adults

- 18 percent are physically disabled,
- 17 percent are employed,
- 16 percent are victims of domestic violence,
- 13 percent are veterans, and
- 4 percent are HIV Positive.
- 38 percent report alcohol use problems
- 26 percent report other drug use problems
- 39 percent report some form of mental health problems (20-25% meet criteria for serious mental illness)
- 66 percent report either substance use and/or mental health problems
- 26 percent report acute health problems other than HIV/AIDS such as tuberculosis, pneumonia, or sexually transmitted diseases
- 46 percent report chronic health conditions such as high blood pressure, diabetes, or cancer²

Reasons Why People Are Homeless

Lifestyle Choice

Foreclosure

Poverty

Eroding Work Opportunities

Decline in Public Assistance

Lack of Housing

Domestic Violence

Mental Illness

Addiction Disorders

Most of these reasons are applicable to our local homeless community; however, it is my opinion that public assistance is available to everyone in our community that wants it.

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² 1996 data from <u>Samhsha's National Mental Health Information Center.</u>

Law Enforcement Response

Dealing with homeless people can be burdened with moral conflict. Few people would argue that the police should do what they can to reduce burglary or car theft. Yet there are many strong and organized advocates for the chronically homeless. Some believe chronic homelessness is a lifestyle choice and, as such, their homeless status should be protected by law. Others feel that homelessness is a consequence of socio-economic factors, such as high unemployment, the lack of affordable housing, or that the chronically homeless are victims of abusive childhoods, addiction, or mental illness. In any event, they oppose criminalizing what they perceive to be a status beyond a homeless person's control. Still others object to the "criminalization of homelessness" because it violates fundamental constitutional rights, in particular those codified in the First, Fourth, Eighth, and Fourteenth Amendments.³

On the other hand, problems do exist that are associated with transients and their encampments. They can often lead business owners and residents to demand the police use traditional, and perhaps somewhat punitive, law enforcement methods to solve them.

It is important to be aware of the fundamental differences in people's beliefs about chronic homelessness (Put simply, the homeless are who victims who seek or need society's help to recover are very different from those who drain public resources and damage the community.) because how the problem is defined determines what is considered an "effective strategy." §⁴

While being homeless is not a crime, many kinds of public conduct are illegal and are reported to law enforcement. These include being intoxicated, loitering, prowling, fighting, trespassing, aggressive panhandling, soliciting, urinating and defecating, consuming alcoholic beverages in certain public places, camping or sleeping in parks, littering, obstructing sidewalks, living in a vehicle parked on a public street, disturbing the peace by loud and unreasonable noises, using offensive words, behaving in a threatening manner, etc.

³ Homeless Encampments-US Department of Justice, Office of Community Oriented Policing

⁴Homeless Encampments-US Department of Justice, Office of Community Oriented Policing

Auburn Police Department-Our Response to Homelessness

The City of Auburn is home to approximately 20-40 individuals of the County's 594 homeless population. Because the City is a tourist destination and the location of Interstate 80 and Highway 49 are in our city limits, the City's image is a significant factor. Criminal activities, including homeless issues, are quick to gain the attention of neighborhood and business leaders thus generating calls for law enforcement intervention. The Auburn Police Department's typical response is to arrest the homeless regardless of whether or not the offense is a minor violation. This is a quick fix and continues the vicious cycle of arrest and temporary incarceration, and does not solve the problem. The problems with homelessness are not being solved and not all the community stakeholders are satisfied. It is frustrating to Auburn Police personnel because we are here to solve problems and when a person calls and complains about certain situation, there are limitations to what we can do.

From June 1, 2012 until June 17, 2013, we had 178 arrests/citations (33 felonies) (23% of all arrests) involving people that said they were homeless or would not provide their address. Below is a partial breakdown of the people arrested or issued a citation:

- 7 people arrested for burglary
- 4 people arrested for being under the influence of a controlled substance
- 4 people arrested for driving under the influence
- 7 people arrested for petty theft
- 3 people arrested for parole violation
- 5 people cited for defecating/urinating in public
- 30 People for being drunk in public
- 55 people cited for drinking on public or private property
- 10 people cited for solicitation to a person in a vehicle
- 1 person cited for trespassing after a warning
- 24 people cited for camping on public/private property

⁵ Point In Time Homeless Survey Summary for Placer County, Date of PIT Count: 1/23/2013

Conclusion

The law enforcement problems generated by the presence of a homeless population present a unique public policy dilemma. Unlike drugs and other criminal activity, there is no clearly defined public agreement as to whether a law enforcement problem truly exists concerning the homeless, and assuming that it might, what should to be done about it. The idea of using the police to drive the homeless out of town is emotionally appealing for some segments of the resident population, but it ultimately presents grave moral and constitutional conflicts.⁶

The number of services that our local non-profits provide our homeless community is staggering. St. Vincent's, Gathering Inn, Auburn Interfaith Food Closet Inc., The Community Garden, Salvation Army, Auburn Seventh Day Adventist Church, and the SPCA are all doing wonderful things to make a difference in our homeless community. However, there is still roughly 40% that do not want to accept organized help. In addition, in a recent article in the LA Times on homelessness in Beverly Hills, there was an explanation on why people want to be homeless in Beverly Hills. The reasons provided were it is safe, and there is money to be made by panhandling. Both of these reasons apply to Auburn also.

The Auburn City Council has provided their police department all of the tools and ordinances that we need to successfully deal with the criminal segment of the homeless community. However, there is still plenty of work to be done in educating the rest of our community about the services that are available to help the homeless people that want them, and the enabling damage that is done when people donate to panhandlers.

Educating the community starts with all of us. As a start, one of my recommendations is to work with our community providers and create a sign/poster (Attachment A) and a business card containing all the telephone numbers to our local service providers. The poster/flyer will

⁶ Police and The Homeless, Barney Melekian

be placed in local businesses so that our community can spread the message to give to our service providers, and refrain from giving directly to our homeless population.

The City Manager has created a video that also addresses the message to stop handing money to local panhandlers that will be shown tonight at the City Council meeting. We have talked extensively about some people might be put off by us telling them not to give money to needy people. However, we think it is important for everyone in community to realize that panhandling is an illegitimate business, not a mechanism to help. Assisting this segment of our community should be done by supporting our local service providers, not by handing currency out the window.

Your police department also needs to enhance our approach to dealing with homeless issues. The police department should incorporate several responses to deal with the homeless and reduce arrests. They included:

Developed partnerships with homeless agencies

Instituted training for all officers on homelessness

Changed officers attitude and response towards the homeless

Have on-duty officers partner with a service provider volunteers to reach out to homeless individuals

Your police department can take the lead on helping to educate our entire community. However, to solve this issue, it is going to take a multi-disciplinary approach. The City, needs to partner with our service providers, as well as work with other jurisdictions, and facilitate a dialog that stresses education, and he police department needs to work on solving and preventing the criminal behavior that a small portion of our homeless community is involved in.

Alternatives Available to Council

- Accept report and direct staff to enhance relationships with local service providers
- Provide staff different and further direction

Attachments

- 1. Panhandling Flyer/Poster Example
- 2. United Way Homeless Cost Study Article
- 3. Auburn Police Department Homeless Court Citation

Fiscal Impacts

Less than \$2500.00 to create educational materials.

There is a better SOLUTION than Panhandling! THE COMMUNITY 7X IN TAX DOLLARS MONEY GIVEN TO A PANHANDLER COST

TO HELP SOLVE PANHANDLING CALL 530-832-4211

FOOD THERE IS HELP FOR THE HOMELESS SHELTER CLOTHING HEALTHCARE

CALL 530-832-4211

EOOD * SHELTER * CLOTHING

LIVE UNITED United TO CREATE PATHWAYS OUT OF POVERTY

Homeless Cost Study

United Way of Greater Los Angeles

October 2009

Chronically homeless people—individuals with a disability who are long-term or repeatedly homeless—are the most costly and present the most complex challenges of all the homeless populations. They can spend years living on the streets, cycling in and out of expensive public services such as emergency rooms, substance abuse treatment facilities and jail. The current system, which lacks adequate permanent housing options, is an expensive way to manage the problem and does not solve it.

Several studies provide growing evidence that permanent supportive housing is a less costly approach to addressing chronic homelessness. Throughout the nation, cities like New York and Chicago have already made significant cost savings and seen their chronic homeless populations drastically reduced by investing in supportive housing.

Supportive housing combines subsidized housing with an organized and coordinated set of on-site services. These include case management, health and mental health care and even job training and counseling.

United Way of Greater Los Angeles believes that permanent supportive housing is the most effective way to end chronic

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homelessness. To better understand the costs and benefits of supportive housing, United Way commissioned a qualitative study of four homeless individuals who have been placed in a supportive housing environment. The study was conducted by Dr. Michael R. Cousineau (Principal Investigator) and Heather Lander at the University of Southern California's Center for Community Health Studies at the Keck School of Medicine, and Mollie Lowery at Housing Works. This analysis, combined with a large sample quantitative study (10,000 homeless individuals) conducted by the Economic Roundtable, provides a comprehensive assessment of the cost savings of permanent supportive housing in Los Angeles County.

Many cities have reduced the number of people who are on the streets and Los Angeles can too. We need to work together to make it happen."

-ELISE BUIK, President & CEO, United Way of Greater Los Angeles

METHODOLOGY

USC researchers conducted an in-depth analysis of the before and after experiences of four chronically homeless people who were placed in permanent supportive housing. The goal was to explore whether there are significant benefits to placing chronically homeless people into permanent supportive housing. These benefits included cost savings as well as improvements in the lives of the individuals. Researchers surveyed four individuals who came from four areas of Los Angeles: Hollywood, Santa Monica, South L.A., and Long Beach. They included C.N., a 52 year-old White female; D.B., a 58 year-old White male; J.S., a 32 year-old Hispanic male; and J.W., a 61 year-old African American male.

Survey data was augmented by public and private record acquisition to assess use of public services.

United Way of Greater Los Angeles Homeless Cost Study | October 2009

THE COST OF LIFE ON THE STREETS

In order to analyze the costs of public services, investigators focused first on the two-year period before the individuals were placed in permanent supportive housing. During that time period, two of the four had gone through detox six times costing \$23,382. Two of the four had been hospitalized (removal of kidney stone and bladder infection) at a cost of \$20,250. All four had used the hospital emergency room for health and alcohol issues (19 visits), costing an additional \$7,885. All four had been arrested at least once (\$2,756) and spent time in jail (\$8,545). One of the four had also served 90 days in prison (\$12,060).

AVERAGE COST OF PUBLIC SERVICES PER UNIT

PUBLIC SERVICE	AVG COST (\$)	COST UNIT Per Admission		
Inpatient Treatment/ Detox Admission	4,667.00			
Inpatient Treatment/Detox	92.00	Per Day		
Alcohol & Drug Outpatient Treatment/Detox	47.00	Per Visit		
ER Visit	415.00	Per Visit		
Hospitalization	2,250.00	Day		
Mental Health Clinic	150.00	Per Visit		
Arrest	140.00	Per Booking		
Jail Time Initial Booking	140.00	Per Booking		
Jail Time Per Diem	68.00	Per Day		
Prison Time / Cost Per Day	134.00	Per Day		
Long Beach Arrests	122.00	Per Booking		
Long Beach Jail Time	187.00	Per Day		

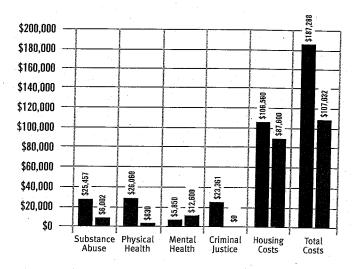
The four individuals had been homeless for most of their adult lives (11-47 years). They had a difficult time taking care of their mental and physical health while living on the streets or emergency shelters, spending nights under bridges or in parking lots. Many depended on "drinking buddies," which fuelled their addictions and made it difficult for them to transition into housing and leave behind what little social support they had. Traumatized by years on the streets they found it hard to trust people. They needed mental health treatment, but didn't trust the system and found it hard to access medication or get refills for their prescriptions. And they were plagued by other chronic health issues (allergies, pre-emphysema and arthritis). They also had multiple run-ins with police, from minor citations for sleeping in a public area to arrests and jail time for alcohol and drug related incidents.

THE COST OF PERMANENT SUPPORTIVE HOUSING

After two years in permanent supportive housing, investigators observed increased stability in the lives of the four individuals in the study. All four individuals had been placed in their own small apartment with access to services including case management, mental health and substance abuse treatment, medication monitoring and education classes. None of the four had required medical attention, except for one person who used the emergency room (\$830). There were no arrests or jail/prison time. One individual had a drug and alcohol relapse and used the services available for detox, rehabilitation and therapy, at a cost of \$6,002. At the time of interview he reported being sober seven straight months. Investigators noted that as the lives of these four individuals stabilized, there was a significant cost savings resulting from a net decrease in the number of public services used.

Costs went up in one area—mental health—which showed a post housing cost of \$12,600 for the four subjects collectively. This is not only expected but desirable as the benefits of regular encounters with the community mental health system can connect people to counseling, help them maintain compliance with medication and reduce unnecessary emergency department visits.

TOTAL PUBLIC SERVICE COSTS FOR INDIVIDUALS TWO YEARS BEFORE AND AFTER PLACEMENT IN SUPPORTIVE HOUSING



BEFORE AFTER

United Way of Greater Los Angeles Homeless Cost Study | October 2009

The transition to permanent housing presented challenges that show the importance of providing on-going support for individuals once placed in housing. Initially some of the individuals in the study found it hard to trust that the homes were really theirs and would not be eventually taken away from them. Some found it difficult to be alone for the first time in their lives. C.N. continues to use what little money she has from her Social Security Insurance (SSI) to pay her care worker to stay with her overnight. However, over time, some of these concerns can be alleviated. One person found a job as a security guard and although a volunteer job, it has provided this person with a new sense of self worth that comes from meaningful employment. Thus the apartment is more than just a place to sleep for them. With the help of the case manager and the supportive services, all four have begun to develop new relationships and cut ties with their old way of life. They are slowly integrating back into the community and developing a sense of belonging, a key part of their longterm recovery.

CONCLUSION

The total cost of public services for two years on the streets was \$187,288 compared to \$107,032 for two years in permanent housing with support services—a savings of \$80,256 or almost 43%.

The investigators are cautious in not over generalizing the results of this small study to the rest of the chronically homeless population. However, the findings are consistent with the results of other studies that show that it is more cost effective to place homeless people in permanent supportive housing than to leave them on the streets or even in the emergency shelter system. Moreover, as Mary Larimer and her colleagues recently reported in the Journal of the American Medical Association, savings increase the longer chronically homeless people remain in housing.

But the benefits go beyond the cost savings to society. The quality of life for these four formerly homeless individuals has also greatly improved. They are off the streets, sober, in better health, out of jail and beginning to integrate back into society.

A Profile of Life on the Streets

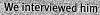
We have a homeless crisis in Los Angeles County, but we know the solutions that work. Together, we can advocate for and invest in those solutions, saving millions of dollars in the long run and improving the quality of life for the thousands of individuals and families who currently sleep on our streets.

After more than 40 years on the streets, D.B. feels that he has a reason to get up in the morning. He has his own home and volunteers at three different food banks, where people rely on him to manage security on the food lines.

It's the first real home he's ever had, and the first time he's felt a part of something. Abused as a child, he ran away from home at nine, cycling in and out of foster care and juvenile hall, Later, he would spend his days drinking and his nights curled up in the corner of a parking lot in Hollywood where the owner left him

alone, if he kept an eye on the cars.

After decades living on the streets, he eventually made friends with staff at a local nonprofit. Over time, he started to trust them enough to move off the streets and into a supportive housing unit that became available. It was there he discovered his love of cooking, and slowly, but surely, began to feel like he belonged,



in the pews of the church where he volunteers. He wanted to talk because he wants to make sure others have access to the same help he got. It's been a long road for D.B., but after 47 years, he finally feels like he's home.



United Way of Greater Los Angeles Homeless Cost Study | October 2009

ENDING HOMELESSNESS AND CREATING PATHWAYS OUT OF POVERTY.

United Way's work targets two segments—families and chronically homeless people. We help homeless families move quickly into housing with short or long-term financial support and provide permanent housing with support services for chronically homeless people.

We believe in permanent supportive housing because studies have shown that there is a higher success rate when people are stabilized in housing first, with access to health, substance abuse and mental health treatment.

MOBILIZING PEOPLE TO TAKE ACTION

Our annual walk to end homelessness—HomeWalk—raises awareness of the crisis of homelessness and the funds to do something about it. In the last two years, 8,000 people have walked, raising \$1M and helping over 5,000 people off the streets. We also mobilize these walkers in year-round

opportunities, including local and national advocacy efforts in support of permanent supportive housing.

BUILDING STRATEGIC COALITIONS

We are partnering with the L.A. Area Chamber of Commerce to create the first ever county-wide Business Leaders Task Force on Homelessness. The leadership of the business community has proven to be a key element in other cities that have dramatically reduced their homeless populations. Members of the Task Force will take a visible leadership role by advocating for local and national policy change and supporting local community solutions to the issue.

In addition, we are working with the public sector and nonprofits to align and increase funding streams for permanent supportive housing. We are also bringing together permanent, supportive housing providers to share challenges, successes and innovative strategies for ending chronic homelessness.

Thank you to the generous support of

THE CALIFORNIA ENDOWMENT

cnhfConrad N. Hilton Foundation

END HOMELESSNESS AND CREATE PATHWAYS OUT OF POVERTY



HOMELESS COURT - Department 33, first wednesday of every moun.

1:30 p.m., 90 days out

AMC Violations - Department 31, Tuesdays, 8:30 a.m., 60 days out

VC Violations - Department 30, 1:00 p.m., normal traffic date (excluding Wed.)

Misdemeanor Violations - Department 31, Tuesdays, 8:30 a.m., 60 days out

Animals 97.020 AMC 97.025 AMC 97.028 AMC License required at 6 months old (I/M)

Dog must wear tag (I/M)
Dogs at Large (aka Leash Law) (I/M)
Tied to object, maximum of 3 hours (I/M) 122335(b) H&S

Littering

94.03 AMC 23111 VC Deposit litter on private/public property (M)

Throwing eigarette or match on rondway or connecting property, public or private (I)
Dumping garbage onto roadway (I) 23112 VC

Solicitation

116.02(A) AMC 121.03(C) AMC 121.03(D) AMC Solicitation w/out Permit and not authorized Charitable (M) Solicitation in Public Transportation Vehicle (M)

Solicitation at a Gas Station (M)

Misc. Code Enforcement 50.03(A)(1) AMC Du 102.04 AMC Sto

100.15 AMC

130.063 AMC

Dumping of Garbage, Rubbish, or Waste Matter (M)
Storage of personal property (M)
Open Campfire (M)
Loitering City Parks & Parking Lots (M)
Trespassing/refuse to leave Business (M)
Failure to register as 11590 registrant (M)
No crossing crosswalk when red hand or wait sign (I)

130.062(B) AMC 11594 H&S 21456(b) VC 21461.5 VC 21650.1 VC

Peds must obey all regulatory signs (1) Pets host ovey art regutatory signs (1)
Bicyclists ride same direction as vehicle traffic (1)
Peds outside crosswalks must yield to vehicle traffic (1)
No peds on roadway to hitchhike (if on improved portion of roadway used for vehicle traffic) (1)

21954(a) VC 21957 VC

No peds in bike lanes (1)

Shopping Cart Theft 22435.2 B&P

Unlawful to remove or possess shopping cart (M)

Trespassing 369(i) PC

21966 VC

Trespassing on railroad property (M)

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RESOLUTION NO. 13-1 RESOLUTION AUTHORIZING CREATING AND PURCHASING EDUCATIONAL 2 MATERIAL 3 4 THE CITY COUNCIL OF THE CITY OF AUBURN DOES HEREBY RESOLVE: 5 That the City Council authorizes the City Manager or his designee to 6 create and purchase educational material that will inform our citizens and our 7 homeless community about the services available and the issues associated 8 with panhandling. The costs are not to exceed \$2500.00 9 10 DATED: August 26, 2013 11 12 Kevin Hanley, Mayor ATTEST: 13 14 Stephanie L. Snyder, City Clerk 15 16 I, Stephanie Snyder, City Clerk of the City of Auburn, hereby certify that the 17 foregoing resolution was duly passed at a regular meeting of the City Council of the City of Auburn held on the 26th day of August 2013 by the following 18 vote on roll call: 19 20 Ayes: Noes: 21 Absent: 22 Stephanie L. Snyder, City Clerk 23 24 25

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